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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,750	12/21/2001	Masanori Aritomi	35.C16049	5081

5514 7590 01/24/2007
FITZPATRICK CELLA HARPER & SCINTO
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NEW YORK, NY 10112

EXAMINER

RUDOLPH, VINCENT M

ART UNIT	PAPER NUMBER
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2625

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/023,750	ARITOMI, MASANORI	
	Examiner	Art Unit	
	Vincent M. Rudolph	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32-40 is/are rejected.
- 7) ☒ Claim(s) 37-40 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claims 37-40 are objected to because of the following informalities:

Regarding claim 37, it discloses in Line 1, "A print a printing system..." and should be changed to -A printing system...-. The examiner will assume this throughout the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 32 and 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer ('588) in view of Simpson ('592) and Hicks ('353).

Regarding claim 37, Fischer ('588) discloses a printing system (See Figure 1) that includes an information processing apparatus (host, See Figure 1, Element 45) and a print device (page printer, See Figure 1, Element 10). The information processing apparatus includes select modes for print setting (such as MOPY, which outputs multiple copies of a single job, See Col. 1, Line 41-45) and the print device is capable of executing an ordinary print process (not a MOPY print job) or a select print process that makes multiple outputs (See Col. 1, Line 41-45). The information processing apparatus includes a job issue unit (embodied within the host) adapted to issue a single print job according to the print setting set by the user (a print job data stream is transferred from

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the host to the I/O port of the printer, See Figure 1; Col. 3, Line 38-45). The print device includes a judgment unit (embodied within the printer) adapted to judge whether or not the single print job contains a specific command designating the selected mode (whether the MOPY print job is detected within the print job data stream, See Col. 10, Line 14-18), a unit adapted to execute an ordinary print job whenever it is judged that the single print job does not contain the specific command (if the MOPY is not included, a regular print job is executed that also includes PDL data, which is used for the print settings, See Col. 4, Line 62-64, to define the print job, See Col. 5, Line 28-32), and a unit adapted to execute the selected mode print process whenever the single print job contains the specific command added by the information processing apparatus to designate the selected mode to the single job (the MOPY print process command is detected and used to produce multiple original prints, See Col. 10, Line 14-20), which also includes the number of copies (See Col. 7, Line 63) as well as a color setting for the material (color characteristics, See Col. 7, Line 40-41).

Fischer ('588) does not disclose a printer driver to set the print setting through a Graphical User Interface as well as a presentation mode to output presentation material and distribution material.

Simpson ('592) discloses a print driver program implemented by a computer to generate print job settings (MOPY and non-MOPY print jobs, See Col. 6, Line 48-55).

Hicks ('353) discloses having a presentation mode (Transparencies, See Figure 2) that includes presentation material (Transparencies, See Figure 3) and distribution material (Handout Set, See Figure 3).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include a print driver program, such as the one disclosed by Simpson ('592), as well as a presentation mode setting, such as the one disclosed by Hicks ('353), and incorporate it into the printing system of Fischer ('588) because the presentation mode print setting enables a user the ability to output multiples copies of the print job (MOPY) as well as have a transparency copy also, which eliminates the need for the user to submit the print job again to another printer and output a transparency print job only. Also, a print driver program allows a user to input the requested print setting on a user interface on the computer in order for a printer to comprehend the print data being sent and generate the print job according to the print job settings.

Regarding claims 32 and 36, the rationale provided in the rejection of claim 37 is incorporated herein. In addition, the print control apparatus of claim 37 corresponds to the method of claim 32 and the computer-readable storage medium (embodied within the host computer) of claim of claim 36 and provides the steps disclosed herein.

Claims 33-35 and 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer ('588) in view of Simpson ('592) and Hicks ('353) as applied to claims 32 and 36-37, and further in view of Sagman.

Regarding claim 38, Fischer ('588) discloses whenever the selected print process is executed, the print device also includes a unit adapted to temporarily store the print data of the print job in a memory of the print device (DRAM stores the print job data stream, See Col. 3, Line 42-45), a unit adapted to execute color setting of the selected

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material and print it according to the temporarily stored data (color characteristics set within the print settings, See Col. 6, Line 11-12, and process the print job received, See Col. 3, Line 42-45, so that it is outputted to the output tray, See Figure 1, Element 35; Col. 3, Line 20-22), a unit adapted to execute the color setting of the distribution material according to the temporarily stored print data and print it (color characteristics set within the selected print settings, See Col. 6, Line 11-12, and process the MOPY print job received, See Col. 10, Line 14-18, so that it is able to output the data onto the output tray, See Figure 1; Element 35; Col. 3, Line 20-22), a unit adapted to set the number of copies set for the distribution material as the number of prints (the number of copies to output, See Col. 7, Line 63), and a unit adapted to print the distribution material according to the color setting as well as the number of copies (output the data to the output tray, See Figure 1, Element 35; Col. 3, Line 20-22, based on the color characteristics of the print settings, See Col. 6, Line 11-12, and the number of copies, See Col. 7, Line 63, to process the MOPY print job received, See Col. 10, Line 14-18).

Fischer ('588) does not disclose a unit to execute an N-in-1 layout process for the distribution material.

Sagman discloses within Microsoft Power Point, a user can select a an N-in-1 layout process for the distribution material, such as a predetermined number of pages to be put onto one recording paper and distribute it as a handout.

It would have been obvious to one skilled in the art at the time of invention by the applicant to have the N-in-1 layout process as described by Sagman and incorporate it into the print system of Fischer ('588) because by having a print setting that allows a

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user to be able to add a predetermined number of pages to print out onto a single page, more data is able to be printed on a single page as well as eliminate excessive paper from being outputted.

Regarding claim 39, Fischer ('588) discloses each unit that executes the color setting for the selected material as well as the distribution material is adapted to select either monochrome (black and white) or color printing (controlling whether to print in color or black and white, See Col. 8, Line 14-16).

Regarding claim 40, Fischer ('588) discloses that the print device also includes a stapling execution unit to execute stapling for the distribution material (MOPY printing along with stapling the print sets together, See Col. 1, Line 41-52).

Fischer ('588) does not disclose a unit within the print device that prints the presentation material on a transparent sheet as well as not stapling it together even if it is instructed.

Hicks ('353) discloses the print system includes a unit that is adapted to print the presentation material on a transparent sheet (transparencies, See Figure 3; Col. 10, Line 18-19) and even though it is instructed to execute stapling, the presentation material is not stapled together (other sets are able to be stapled together using a stapler, See Col. 10, Line 19-22, since the presentation material is shown separately on a projector, it cannot be stapled together).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to have the presentation material outputted onto transparency paper, such as the one disclosed within Hicks ('353) and incorporate it into the printing

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system of Fischer ('588) because by using a transparency, it enables a user to demonstrate information to multiple people by using an overhead, which allows everyone to be able to view the same information simultaneously.

Regarding claims 33-35, the rationale provided in the rejection of claims 38-40 is incorporated herein respectively. In addition, the print control apparatus of claims 38-40 corresponds to the method of claims 33-35 and provides the steps disclosed herein, respectively.

Response to Arguments

Applicant argues the prior art of Hicks does not disclose issuing a single print job within a print setting that is set by a Graphical User Interface as well as print device to execute an ordinary print job and a presentation-mode print process depending on the specific command within the single print job. Thus, the prior art of Fischer and Simpson is used along with Hicks to meet the claimed limitations. Fischer discloses a printing system that is able to tell whether to output a regular job or a special print job by detecting the command within the single print job data stream (See Col. 10, Line 14-18). While Fischer does not disclose a printer driver program, the prior art of Simpson does disclose one that is implemented by a computer to generate print job settings (See Col. 6, Line 48-55). Fischer also does not disclose a presentation mode print setting that outputs the presentation material and distribution material. Therefore, Hicks is used to meet the claim limitation, which discloses having a presentation mode (See Figure 2) that also includes presentation material as well as distribution material (See Figure 3). Thus, it would have been obvious to one of ordinary skill in the art to combine the prior

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arts of Simpson and Hicks into Fischer because a presentation mode included as a print setting eliminates the need for a user to submit the print job twice to output a transparency print job only. Also, the print driver program allows a user to input the requested print setting on the computer so that a printer is able to correctly understand the print data being sent and generate it according to the print job settings. As a result, the combined prior art is able to meet the claimed limitations of the amended claims.

Based on these facts, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is: Okimoto ('814) and Matysek ('732).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent M. Rudolph whose telephone number is (571)

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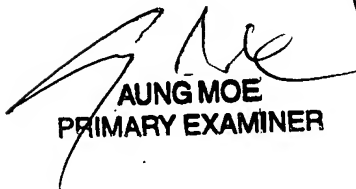
272-8243. The examiner can normally be reached on Monday through Friday 8 A.M. - 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on (571) 272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

11/12/07

Vmr


AUNG MOE
PRIMARY EXAMINER

Vincent M. Rudolph
Examiner
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